

**REMARKS**

Claims 1, 4, 6-30 and 33-55 are pending. Claims 2-3, 5, and 31-32 have been previously cancelled.

A complete listing of claims is provided for the Examiner's convenience, although no amendments are made herein.

Claims 1, 6, 7, 9-13, 15-26, 28-30, 33, 36, 38, and 39 are rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over U.S. Patent No. 5,866,889 ("Weiss") in view of U.S. Patent No. 5,485,370 ("Moss"). Claims 4, 8, 14, 27, 34, 35, 37 and 40-55 are rejected under 35 U.S.C. § 103(a) as being allegedly obvious over Weiss in view of Moss and Official Notice (now admitted prior art).

**Rejection of Claims 1, 6, 7, 9-13, 15-26, 28-30, 33, 36, 38, and 39 under 35 U.S.C. § 103(a)**

The Examiner has rejected claims 1, 6, 7, 9-13, 15-26, 28-30, 33, 36, 38, and 39 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Weiss in view of Moss. This rejection is respectfully traversed.

Weiss does not qualify as art under 35 U.S.C. § 103(a). Weiss is assigned to Citibank, N.A., was filed on June 7, 1995, and issued on February 2, 1999. Citibank, N.A. is an entity of Citigroup. Weiss qualifies under 35 U.S.C. § 102(f) as well as 35 U.S.C. § 102(g).

The assignee of the present application is Citicorp Development Center, Inc., which is also an entity of Citigroup. Therefore, these applications were commonly owned by Citigroup at the time of the invention.

For applications filed prior to November 29, 1999 and granted as patents prior to December 10, 2004, 35 U.S.C. § 103(c) is limited on its face to subject matter developed by another person which qualifies as prior art only under subsection (f) or (g) of section 102. *See* MPEP §§706.02(l)(1); 2141.01. Weiss was developed by another and qualifies as prior art under 35 U.S.C. §§ 102(f) and (g), so Weiss is unavailable as prior art pursuant to 35 U.S.C. § 103(c).

Accordingly, the rejection of claims 1, 6, 7, 9-13, 15-26, 28-30, 33, 36, 38, and 39 under 35 U.S.C. § 103(a) has been rendered moot. Thus, it is respectfully requested that this rejection be withdrawn.

**Rejection of Claims 4, 8, 14, 27, 34, 35, 37, and 40-55 under 35 U.S.C. § 103(a)**

The Examiner has rejected claims 4, 5, 8, 14, 27, 34, 35, 37 and 40-55 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Weiss in view of Moss and further in view of Official Notice. For the reasons discusses above with respect claims 1, 6, 7, 9-13, 15-26, 28-30, 33, 36, 38, and 39, the undersigned respectfully requests that the rejection of claims 4, 5, 8, 14, 27, 34, 35, 37 and 40-55 under 35 U.S.C. § 103(a) be withdrawn.

**CONCLUSION**

The undersigned representative respectfully submits that this application is in condition for allowance, and such disposition is earnestly solicited. If the Examiner believes that the prosecution might be advanced by discussing the application with the undersigned representative, in person or over the telephone, we welcome the opportunity to do so. In addition, if any additional fees are required in connection with the filing of this response, the Commissioner is hereby authorized to charge the same to Deposit Account 50-4402.

Respectfully submitted,

Date: September 27, 2010

KING & SPALDING LLP  
1700 Pennsylvania Ave., NW, Suite 200  
Washington, DC 20006  
(202) 626-8980

By: /Eric Sophir, Reg. No. 48,499/  
Eric L. Sophir  
Registration No. 48,499